

Form of Stipulation for Entry of Judgment on Counterclaim Provided for in Settlement--Refund Suit with Counterclaim or Third-Party Claim

IN THE UNITED STATES DISTRICT COURT FOR THE
_____ DISTRICT OF _____

[NAME(S) OF PLAINTIFF(S)])
)
 Plaintiff(s),)
)
 v.)
) Civil No.
)
 UNITED STATES)
)
 Defendant,)
)
 v.)
)
 [NAME OF COUNTERCLAIM DEFENDANT)
 OR THIRD-PARTY DEFENDANT])
)
 [Counterclaim] [Third-Party] Defendant.)
 _____)

STIPULATION FOR [DISMISSAL AND] ENTRY OF JUDGMENT

[It is hereby stipulated and agreed that the complaint in the above-entitled case be dismissed with prejudice, the parties to bear their respective costs, including any possible attorneys' fees or other expenses of this litigation.]

It is hereby [further] stipulated and agreed that judgment may be entered in favor of the United States, and against the plaintiff, [name of plaintiff] for the unpaid assessed balance of [specify the type of tax(es) and the tax periods] and related interest and penalties in the amount of \$[specify unpaid assessed balance of all tax, penalties, and interest], [plus all penalties accruing under law after the date(s) of assessment ([specify date(s)])], plus interest accruing after the date(s) of assessment ([specify date(s)]) pursuant to 26 U.S.C. §§ 6601, 6621, and 6622, and

[Exhibit 6]

28 U.S.C. § 1961(c) until paid [and] that judgment may be entered in favor of the defendant, United States, and against [the] [counterclaim defendant] [third-party defendant] [name of counterclaim defendant or third-party defendant] for the unpaid assessed balance of [specify the type of tax(es) and the tax periods] and related interest and penalties in the amount of \$[specify unpaid assessed balance of all tax, penalties, and interest], [plus all penalties accruing under law after the date(s) of assessment ([specify date(s)])], plus interest accruing after the date(s) of assessment ([specify date(s)]) pursuant to 26 U.S.C. §§ 6601, 6621, and 6622, and 28 U.S.C. § 1961(c) until paid.

NAME OF COUNSEL FOR PLAINTIFF(S)
[Address of Counsel]

Attorney for Plaintiff(s)

Attorney for Defendant

[NAME OF COUNSEL FOR COUNTERCLAIM DEFENDANT
OR THIRD-PARTY DEFENDANT]
[Address of Counsel]

Attorney for [Counterclaim]
[Third-Party] Defendant

[NOTE: The following should be added at bottom of Stipulation for Entry of Judgment, if a separate order for judgment is not being used.]

ORDER

IT IS SO ORDERED, this ____ day of _____, 19__.

United States District Judge